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PTO/SB/21 (09-08)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

Application Number	09/657,956
Filing Date	09/08/2000
First Named Inventor	Eva Prpic
Art Unit	2143
Examiner Name	Jeffrey C. Pwu
Total Number of Pages In This Submission	23
Attorney Docket Number	JP920000170US1

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Law Office of Anthony England		
Signature	<i>Anthony V.S. England</i>		
Printed name	Anthony V.S. England		
Date	12-26-2006	Reg. No.	35.129

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Anthony V.S. England</i>		
Typed or printed name	Anthony V.S. England	Date	12-26-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## PROCESSING FEE

Under 37 CFR 1.17(i)

## TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/657.956
Filing Date	09/08/2000
First Named Inventor	Eva Pricic
Art Unit	2143
Examiner Name	Jeffrey C. Pwu
Attorney Docket Number	JP920000170US1

## 37 CFR 1.17

Enclosed is a paper filed under 37 CFR 1.17 (Group III) that requires a processing fee (37 CFR 1.17(i)).  
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(f), (g) or (h), see form PTO/SB/17p.

## Payment of Fees (small entity amounts are NOT available for the petition fees)

- The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 09-0457:
- processing fee under 37 CFR 1.17(i)       any deficiency of fees and credit of any overpayments  
Enclose a duplicative copy of this form for fee processing.
- Check in the amount of \$ \_\_\_\_\_ is enclosed.
- Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1808 for all,  
Except for § 1.221 papers (Fee Code 1803)

For papers filed under:

- § 1.28(c)(3) - for processing a non-itemized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.63, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.55 - for entry of late priority papers.
- § 1.99(e) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. Fee Code 1803
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.497(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.

Signature

Anthony V.S. England

Typed or printed name

Date

35,129

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**  
09/657,956

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Prpic	Before the Examiner: Jeffrey C. Pwu
Serial No.: 09/657,956	Group Art Unit: 2143
Filed: 09/08/2000	PO Box 5307
Title: Accreditation of Personnel	Austin, TX 78763-5307
Atty Docket: JP920000170US1	

Attention: Office of Petitions  
Mail Stop Petitions  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

APPLICANT HEREBY PETITIONS TO WITHDRAW HOLDING OF ABANDONMENT.

I am the current Corresponding Attorney for the subject application, as is established by documentary evidence submitted herein and described herein below. Based on telephone conversations described herein below with Examiner Jeffrey Pwu, Group Art Unit 2143, I believe that an Office communication, which was apparently dated April 20, 2006, and that apparently required a reply within six months, was mailed by the PTO. However, I did not receive the Office communication. I hereby attest to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of a docket record where the nonreceived Office communication would have been entered had it been received and docketed is herein attached as Exhibit

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09/657,956

AA. More specifically, based on an assumed three month shortened statutory period for reply to the nonreceived Office action, and based on the mailing date indicated by Examiner Pwu, Exhibit AA is a docket report showing all replies docketed for the period from April 20, 2006 through July 20, 2006, as documentary proof of nonreceipt of the Office action. Further evidence is also herein submitted as Exhibits BB, CC and DD, which are described herein below.

**Background**

I am the current Corresponding Attorney for the subject application. As evidence thereof, I am enclosing as Exhibit BB copies of a request I faxed to the USPTO regarding the correspondence address for the present patent application on 1/21/2005, including a copy of an Auto-Reply Facsimile Transmissions I received back from the USPTO. This customer number was established in September, 2004, and from that date forward the address associated with it has continually been P.O. Box 5307, Austin, Texas 78763.

In reply to my 1/21/2005 request, I never received any correspondence from the USPTO requesting that I take further steps regarding changing the correspondence address, nor did I receive any other reply to these documents from the USPTO other than the Auto-Reply Facsimile Transmission.

An Office action dated 6/29/2006 regarding the present application was mailed by the USPTO to the assignee in San Jose and eventually forwarded to me, which made me aware that the correspondence address had not been changed by the USPTO.

Consequently, on 9/9/2005 I faxed a further request to the USPTO regarding the correspondence address for the present patent application. This request is enclosed herein as Exhibit CC and includes a copy of an Auto-Reply Facsimile Transmission I received back from the USPTO. In reply to this request, I never received any correspondence from the USPTO requesting that I take further steps regarding changing the correspondence address, nor did I receive any other reply to these documents from the USPTO other than the Auto-Reply Facsimile Transmission.

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On November 30, 2006, I received a telephone message from Examiner Jeffrey Pwu regarding failure to reply to an Office action in this case. After briefly reviewing my files and unsuccessfully attempting to access PTO records in private PAIR, I spoke with Examiner Pwu by telephone later on the same day. Examiner Pwu advised that an Office action had been mailed in response to my most recent communication, that the PTO had not received a reply, and that he was considering issuing a Notice of Abandonment. He asked that I investigate further.

After reviewing my files again I spoke again on December 1, 2006 with Examiner Pwu by telephone and advised him that I have records in my file showing I previously submitted to the USPTO more than one request to change correspondence address and to associate the case with my customer number in private PAIR, so that the Office action in question should have been mailed to me at the address associated with my Customer Number 39,903, and I should have access to the case in private PAIR, but that I never received the mailing. I also advised him that I have never succeeded in my attempts to gain access to information about the case in private PAIR.

In the second telephone conversation on December 1, 2006 with Examiner Pwu, I offered to fax him a copy of the change of correspondence address requests that I had sent to the PTO previously, so that he could weigh this evidence in his decision about issuing a Notice of Abandonment. He indicated that he did not need me to fax those to him yet, and that he would check to see if he might be able to merely reset the period for reply. At this time he also faxed me a copy of the Office action in question, but the copy he sent did not include the front page, which indicates the mailing address and date. Meanwhile, while waiting for his decision, I checked with representatives of the assignee for this patent application, IBM Corporation in San Jose.

On December 6, 2006, I called Examiner Pwu and advised him that representatives of the assignee confirmed to me that the Office action in question had not been received in San Jose. He indicated that he would not be able to merely restart the time for reply. Instead, he would have to issue a Notice of Abandonment. I asked him to fax that to me so that I could include it in a Petition to Withdraw Holding of Abandonment.

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On December 15, 2006, I left a message for Examiner Pwu indicating that I had not yet received the Notice of Abandonment. On December 18, 2006, I called again and this time reached Examiner Pwu by telephone. He advised me that he had mailed the Notice of Abandonment but had not yet faxed it to me. At my request, he faxed the Notice of Abandonment dated December 8, 2006, to me at that time. It is enclosed herein as Exhibit DD. As you can see, the mailing address on this Notice of Abandonment, International Business Machines Corporation, Almaden Research Center, 650 Harry Road, San Jose, CA 95120, is a mailing address of the assignee, but is not the mailing address associated with my correspondence number, which is P.O. Box 5307, Austin, Texas 78763, as previously stated.

**Request for Action**

Based on the above facts, I submit that Applicant has not failed to reply to a proper Office communication, and the Examiner's holding of abandonment should be withdrawn at no charge. If this Petition is not granted, Petitioner requests that the Petition should, in the alternative, be considered a Petition to Revive for which Applicant hereby authorizes the USPTO to charge the IBM deposit account indicated on the attached fee sheet.

In addition, please correct the mailing address as previously requested.

Respectfully submitted,

By Anthony V.S. England  
Anthony V.S. England  
Attorney of Record  
Registration No. 35,129  
Telephone: 512-477-7165  
a@aengland.com

Enclosures: Exhibit AA: Docket Summary  
Exhibit BB: Change of address request, filed January 20, 2005  
Exhibit CC: Change of address request, filed September 9, 2005  
Exhibit DD: Notice of Abandonment, dated December 8, 2006

Page 4 of 4

**Exhibit AA: Docket Summary,  
April 20, 2006 - July 20, 2006**

**Tasks for Docket****DOCKET-LEGAL Items****Past Due** **JP9-2001-0212 Response to OA due**

Priority: 1  
 Due Date: 4/17/2006  
 Category: DOCKET-LEGAL

 **JP9-2001-0405 Response to OA due**

Priority: 1  
 Due Date: 4/24/2006  
 Category: DOCKET-LEGAL

 **JP9-2001-0189 Response to OA due (FR + 90 = 4/26/06)**

Priority: 1  
 Due Date: 4/25/2006  
 Category: DOCKET-LEGAL

 **JP9-2002-0074 Response to OA and Petition for Extension of Time due**

Priority: 1  
 Due Date: 4/28/2006  
 Category: DOCKET-LEGAL

 **JP9-2002-0042 Response to OA due**

Priority: 1  
 Due Date: 5/7/2006  
 Category: DOCKET-LEGAL

 **AUS9-2003-0638 Response to OA due (Ex Parte Quayle) plus get inventor to resign declaration**

Priority: 1  
 Due Date: 5/8/2006  
 Category: DOCKET-LEGAL

 **AUS9-2003-0188 Response to OA due**

Priority: 1  
 Due Date: 5/9/2006  
 Category: DOCKET-LEGAL

 **AUS9-2002-0274 Corrected Drawings due**

Priority: 1  
 Due Date: 5/9/2006  
 Category: DOCKET-LEGAL

 **AUS9-2002-0274 Allowance Docs due**

Priority: 1  
 Due Date: 5/10/2006  
 Category: DOCKET-LEGAL

 **AUS9-2003-0533 Response to OA due**

Priority: 1  
 Due Date: 5/10/2006  
 Category: DOCKET-LEGAL

 **JP9-2003-0192 Response to Notice of Non-Compliant Amendment due - AVSE CALL EXAMINER**

Priority: 1  
 Due Date: 5/10/2006  
 Category: DOCKET-LEGAL

 **AUS9-2002-0385 Appeal Brief - GET FILE FROM JOE**

Priority: 1  
 Due Date: 5/28/2006  
 Category: DOCKET-LEGAL

 **JP9-2001-0325 Allowance Docs due**

Priority: 1  
 Due Date: 5/30/2006  
 Category: DOCKET-LEGAL

 **HA-2006-01 File Missing Parts**

Priority: 1  
 Due Date: 5/31/2006  
 Category: DOCKET-LEGAL

 **AUS9-2002-0682 Appeal Brief**

Priority: 1  
 Due Date: 6/3/2006  
 Category: DOCKET-LEGAL

 **JP9-2000-0411 Appeal Brief (SM do summary)**

Priority: 1  
 Due Date: 6/4/2006  
 Category: DOCKET-LEGAL

 **AUS9-2000-0510 Appeal Brief**

Priority: 1  
 Due Date: 6/4/2006  
 Category: DOCKET-LEGAL

 **AUS9-2004-0818 Response to Restriction Requirement & Petition for Extension of Time**

Priority: 1  
 Due Date: 6/4/2006  
 Category: DOCKET-LEGAL

 **SJ9-2001-0186 Response to OA**

Priority: 1  
 Due Date: 6/10/2006  
 Category: DOCKET-LEGAL

 **JP9-2002-0036 Allowance Docs due**

Priority: 1  
 Due Date: 6/13/2006  
 Category: DOCKET-LEGAL

 **AUS9-2002-0139 Response to OA and petition for extension of time**

Priority: 1  
 Due Date: 6/14/2006  
 Category: DOCKET-LEGAL

**Tasks for Docket****DOCKET-LEGAL Items** **JP9-2001-0392 Response to OA and Petition for Ext. of Time**

Priority: 1  
Due Date: 6/15/2006  
Category: DOCKET-LEGAL

 **JP9-2000-0426 Response to OA**

Priority: 1  
Due Date: 6/15/2006  
Category: DOCKET-LEGAL

 **JP9-2000-0251 Appeal Brief**

Priority: 1  
Due Date: 6/19/2006  
Category: DOCKET-LEGAL

 **AUS9-2003-0507 Allowance Docs due**

Priority: 1  
Due Date: 6/19/2006  
Category: DOCKET-LEGAL

 **AUS9-2002-0463 Response to OA**

Priority: 1  
Due Date: 6/22/2006  
Category: DOCKET-LEGAL

 **JP9-2001-0226 Appeal Brief**

Priority: 1  
Due Date: 6/23/2006  
Category: DOCKET-LEGAL

 **JP9-2001-0118 Allowance Docs due**

Priority: 1  
Due Date: 6/26/2006  
Category: DOCKET-LEGAL

 **AUS9-2001-0253 Appeal Brief**

Priority: 1  
Due Date: 6/27/2006  
Category: DOCKET-LEGAL

 **JP9-2001-0328 Allowance docs due**

Priority: 1  
Due Date: 6/28/2006  
Category: DOCKET-LEGAL

 **AUS9-2002-0282 File Express Abandonment**

Priority: 1  
Due Date: 6/30/2006  
Category: DOCKET-LEGAL

 **JP9-2001-0072 Response to Notice of Non-Compliant Amendment**

Priority: 1  
Due Date: 6/30/2006  
Category: DOCKET-LEGAL

 **JP9-2001-0204 Response to OA**

Priority: 1  
Due Date: 7/6/2006  
Category: DOCKET-LEGAL

 **JP9-2003-0215 Allowance Docs**

Priority: 1  
Due Date: 7/11/2006  
Category: DOCKET-LEGAL

 **AUS9-2001-0743 File Petiton to w/draw holding of abandonment**

Priority: 1  
Due Date: 7/16/2006  
Category: DOCKET-LEGAL

 **DA-2006-01 Response to Notice of Non-Compliant Amendment**

Priority: 1  
Due Date: 7/17/2006  
Category: DOCKET-LEGAL

 **AUS9-2003-0383 Response to OA**

Priority: 1  
Due Date: 7/21/2006  
Category: DOCKET-LEGAL

**Exhibit BB: Change of address request,  
filed January 20, 2005**

## **Auto-Reply Facsimile Transmission**



**TO:** Fax Sender at 512 322 0211

## **Fax Information**

Date Received: 1/20/2005 10:39:40 PM [Eastern Standard Time]  
Total Pages: 4 (including cover page)

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Application Number	09/657,986
Filing Date	08/08/2000
First Named Inventor	Eva Prpic
Art Unit	2152
Examiner Name	Chad Zhang
Total Number of Pages in This Submission	4
Attorney Docket Number	JP920000170US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	3 documents are attached: Power of Attorney, Correspondence Address Indication Form, and Statement Under 37CFR3.7(b)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Law Office of Anthony England		
Signature			
Printed name	Anthony V.S. England		
Date	01/21/2005	Reg. No.	35,129

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Signature			
Typed or printed name	Anthony V.S. England	Date	01/21/2005

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	09/657,958
Filing Date	09/08/00
First Named Inventor	Eva Prpic
Title	Accreditation of Personnel
Art Unit	2152
Examiner Name	Chad Zhong
Attorney Docket Number	JP920000170US1

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

Practitioner(s) associated with the Customer Number:  

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:  

OR

The address associated with Customer Number: 39,903

OR

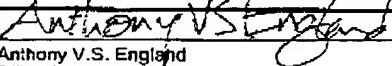
<input type="checkbox"/>	Firm or Individual Name			
Address				
City	State	Zip		
Country				
Telephone	Fax			

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	01/21/2005
Name	Anthony V.S. England	Telephone	512-477-7165
Title and Company	Attorney for Applicant		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

\*Total of   forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Prpic, Eva

Application No./Patent No.: 09/657,956 Filed/Issue Date: 09/08/2000

Entitled: Accreditation of Personnel

International Business Machines, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011174, Frame 0098, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

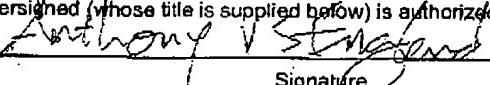
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
 Signature

01/21/2005

Date

Anthony V.S. England

512-477-7165

Printed or Typed Name

Telephone Number

Attorney for Applicant

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Exhibit CC: Change of address request,  
filed September 9, 2005**

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## **Auto-Reply Facsimile Transmission**

DEC 26 2006



TO: Fax Sender at 512 322 0211

**Fax Information**  
**Date Received:** 9/9/2005 2:23:56 PM [Eastern Daylight Time]  
**Total Pages:** 4 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

09/09/2006 12:51 612-322-0211

ANTHONY ENGLAND

PAGE 83

TRANSMITTAL FORM		GPO:2002-0100 Approved for use through 07/01/2005 GPO:2002-0100 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE			
(FEE USE BY OR IN ACCORDANCE WITH 37 CFR 1.16)		Application Number: 08/614,767			
Item Number of First or Last Submission:		Filing Date: 09/24/2003			
Type Number of First or Last Submission:		First Named Inventor: George England			
Attorney Docket Number: JPPR0000121031		Art Unit: 2623			
(Check one if correspondence after initial filing)		Examiner Name: Matthew S. Cefalo			
ENCLOSURES (check all that apply)					
<input type="checkbox"/> Case Transmittal Form <input type="checkbox"/> Fee Alleged <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> After Reissue Preliminary <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Interruption Disclaimers Statement <input type="checkbox"/> Certified Copy of Drawing <input type="checkbox"/> Drawings <input type="checkbox"/> Reply to Missing Duty <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Reply to Missing Items under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Identification of Papers <input type="checkbox"/> Motion <input type="checkbox"/> Petition to Convert to a Registered Application <input checked="" type="checkbox"/> Power of Attorney, Declaration <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Reband <input type="checkbox"/> CD, number or CDR(s) <input type="checkbox"/> Landscaping Table on CD		<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interventions <input type="checkbox"/> Appeal Notice, Pet. of Appeal Filing <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter <input type="checkbox"/> Other (Specify) (Indicate Identity Below): A document is attached. Please indicate Correspondence Address (Indicate Name, and Telephone Under 37 CFR 3.7(d))	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				Date: 9-9-2005	
Firm Name: Law Office of Anthony England		Signature: <u>Anthony V.S. England</u>		Reg. No. 33,189	
Print Name: Anthony V.S. England					
Date: 9-9-2005					
CERTIFICATE OF TRANSMISSION/MAILING					
I hereby certify that this correspondence is being actually transmitted to the USPTO or deposited with the United States Postal Service on the date indicated as the day in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.					
Signature: <u>Anthony V.S. England</u>					
Typed or printed name: Anthony V.S. England		Date: 9-9-2005			

I am the first filer of information to be filed in 37 CFR 1.8. The information is required to support a patent or a benefit by law known as the prior to the filing by the USPTO is provided in a separate, dated, written statement to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature: Anthony V.S. England

Dated: 9-9-2005

If you need assistance in completing this form, call 1-800-PTO-8777 and select option 2.

PAGE 144 RCV'D AT 9/9/2005 2:28:56 PM [Eastern Daylight Time] 917115P1025X014021 CN:R2730301 CSID:512329211 DURATION (min:sec):01:40

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4

Application Number	09/6848,878
Filing Date	08/28/2000
First Named Inventor	Deepak Gupta
Art Unit	3625
Examiner Name	Matthew S. Gart
Attorney Docket Number	JP920000101US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 3 documents are attached: Power of Attorney, Correspondence Address Indication Form, and Statement Under 37CFR3.7(b)
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Remarks
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Information Disclosure Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Law Office of Anthony England		
Signature			
Printed name	Anthony V.S. England		
Date	7-9-2005	Reg. No.	35.129

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Anthony V.S. England	Date	7-9-2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (11-04)

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	09/657,956
Filing Date	09/08/00
First Named Inventor	Eva Prpic
Title	Accreditation of Personnel
Art Unit	2152
Examiner Name	Chad Zhong
Attorney Docket Number	JP920000170US1

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

Practitioners associated with the Customer Number:

39,903

OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:

39,903

OR

<input type="checkbox"/>	Firm or Individual Name
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<input type="checkbox"/>	Address
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<input type="checkbox"/>	City	State	Zip
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<input type="checkbox"/>	Country
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<input type="checkbox"/>	Telephone	Fax
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I am the:

Applicant/Inventor,

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature	<i>Anthony V.S. England</i>	Date	9-9-2005
Name	Anthony V.S. England	Telephone	512-477-7165
Title and Company	Attorney for Applicant		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/81 (02-01)  
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POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT

Application Number	09/657,956
Filing Date	09/08/00
First Named Inventor	Eva Prpic
Title	Accreditation of Personnel
Group Art Unit	2162
Examiner Name	Unassigned
Attorney Docket Number	JP920000170US1

I hereby appoint:

Practitioners at Customer Number  →  Place Customer Number Bar Code Label here

OR

Practitioner(s) named below:

Name	Registration Number
Anthony England	36,129

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number  →  Place Customer Number Bar Code Label here

OR

Practitioners at Customer Number  →  Place Customer Number Bar Code Label here

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Anthony England
Address	1717 West Sixth Street
Address	Suite 230
City	Austin
Country	U.S.A.
Telephone	512-477-7165
	Fax 512-478-7151

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name  T. Rao Coca

Signature 

Date  September 24, 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of  forms are submitted.

Burden Hour Statement: This form is estimated to take 9 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**DEC 26 2006**

PTO/SB/86 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Prplc, Eva

Application No./Patent No.: 09/657,958

Filed/Issue Date: 09/08/2000

Entitled: Accreditation of Personnel

International Business Machines, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011174, Frame 0098, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee:

Anthony V.S. England

Signature

Anthony V.S. England

Printed or Typed Name

9-9-2005

Date

512-477-7165

Telephone Number

Attorney for Applicant

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Exhibit DD: Notice of Abandonment,  
dated December 8, 2006**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/657,956	09/08/2000	Eva Frpic	JP920000170US1	1771
7390	12/08/2006			
International Business Machines Corporation Almaden Research Center 650 Harry Road San Jose, CA 95120			EXAMINER	
			PWO, JEFFREY C	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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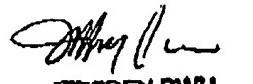
DEC 26 2006

Notice of Abandonment	Application No.	Applicant(s)
	09/657,956	PRPIC ET AL.
	Examiner	Art Unit
	Jeffrey C. Pwu	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 20 April 2006.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

  
JEFFREY PWU  
PATENT EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the mailing of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.  
Dkt. No. Paper No. 20001209